IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:17-CR-174-D

| UNITED STATES OF AMERICA |) | |
|--------------------------|----------|-------|
| v. | \ | ORDER |
| HOWARD DAVIS, | { | |
| Defendant. |) | |

On December 19, 2017, the court held a hearing concerning defendant's motion to dismiss [D.E. 33]. As explained in open court and incorporated by reference, the motion to dismiss [D.E. 33] is DENIED.

SO ORDERED. This 10 day of December 2017.

JAMES C. DEVER III

Chief United States District Judge